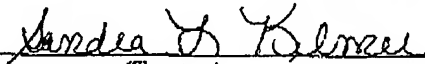



<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. <b>POU920010173US1</b>	
Applicant(s): <b>R. J. Dugan et al</b>				
Application No. <b>10/043,489</b>	Filing Date <b>1/11/02</b>	Examiner <b>D. E. Martinez</b>	Group Art Unit <b>2182</b>	
Invention: <b>Confirmation #6712</b> <b>Method and Apparatus For A Non-Disruptive Recovery Of A Single Partition In A Multipartitioned Data Processing System</b>				
<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>OCT 27 2005</b>				
I hereby certify that this _____ <b>Transmittal Letter w/ 15 Page Amendment</b> _____ (Identify type of correspondence)				
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <b>(571) 273-8300</b> )				
on <b>October 27, 2005</b> (Date)				
<b>Sandra L. Kilmer</b> (Typed or Printed Name of Person Signing Certificate)				
 (Signature)				
Note: Each paper must have its own certificate of mailing.				

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>POU920010173US1</b>	
Applicant(s): <b>R. J. Dugan et al</b>						
Application No. <b>10/043,489</b>	Filing Date <b>1/11/2002</b>	Examiner <b>D. E. Martinez</b>	Customer No. <b>33558</b>	Group Art Unit <b>2182</b>	Confirmation No. <b>6712</b>	
Invention: <b>Method and Apparatus For A Non-Disruptive Recovery Of A Single Partition In A Multipartitioned</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	11	27	0	x \$50.00	\$0.00	
INDEP. CLAIMS	5	10	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. <b>09-0463</b> in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0463</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: <b>October 27, 2005</b>			
<b>Eugene I. Shkurko - Attorney</b> <b>Registration #36,678</b> <b>IBM Corporation - MS P386</b> <b>2455 South Road</b> <b>Poughkeepsie, NY 12601</b> <b>Telephone No. (845) 433-1163</b> <b>Fax No. (845) 432-9601</b>			<div style="border: 1px solid black; padding: 5px;">             I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____              (Date)                _____              Signature of Person Mailing Correspondence                _____              Typed or Printed Name of Person Mailing Correspondence           </div>			
cc:						

Atty. Docket No. POU920010173US1

Serial No. 10/043,489

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 27 2005

In re  
Application of: Dugan et al. Confirmation No.: 6712  
Serial No. 10/043,489 Group Art Unit: 2182  
Filed: 01/11/2002 Examiner: David E. Martinez  
For: METHOD AND APPARATUS FOR A NON-DISRUPTIVE RECOVERY OF A  
SINGLE PARTITION IN A MULTIPARTITIONED DATA PROCESSING SYSTEM

Certificate of Mailing/Facsimile 37 CFR §1.8(a)	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the:	<input checked="" type="checkbox"/> facsimile transmitted to the USPTO at: Fax Number (571) 273-8300
Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>October 27, 2005</u>	
<u>Sandra L. Kilmer</u>	<u><i>Sandra L. Kilmer</i></u> Signature

## REPLY AND AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed 07/27/05, Applicants respectfully request reconsideration of the outstanding rejections and reexamination of the present application in light of the following remarks and amendments.

**Amendments to the Specification:** see page 2 of this paper.

**Amendments to the Claims:** see page 3 of this paper.

**Remarks/Arguments:** begin on page 11 of this paper.